# South Carolina Department of Public Safety, State Transport Police

2014-168-7



**USDOT#** 2432263

Legal: THE LOVE BUS INC

Operating (DBA):

MC/MX #: 842151

State #:

Federal Tax ID:

Review Type: Safety Audit - New Entrant

Location of Review/Audit: Company Facility in the U.S.

Scope: Entire Operation

**Territory:** 

Operation Types Interstate Intrastate

Carrier:

Non-HM

N/A

**Business:** Corporation

Shipper: N/A Cargo Tank: N/A

Gross Revenue: N/A

\$1600

for year ending:

12/31/2013

Company Physical Address:

1737 NORTH MAIN STREET #2

SUMMERVILLE, SC 29483, UNITED STATES

E-Mail Address: gralinhamptonauto@att.net

Contact Name: Gralin N. Hampton

Phone numbers: (1) 8438719781

(2) 8433674474

Company Mailing Address:

1737 NORTH MAIN STREET #2

SUMMERVILLE, SC 29483, UNITED STATES

Carrier Classification

Authorized for Hire

Cargo Classification

**Passengers** 

Does carrier transport placardable quantities of HM? No

0

Is an HM Permit required?

Driver Information

>= 100 Miles:

Intra Inter < 100 Miles: 0 0

Average trip leased drivers/month: 0

Total Drivers: 2 CDL Drivers: 2

**Equipment** 

Motor Coach

Term Leased Trip Leased Owned

Power units used in the U.S.:

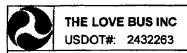
2

1

Percentage of time used in the U.S.:

100

Owned Term Leased Trip Leased



Review Date: 4/23/2014

## Part A

QUESTIONS regarding this report or the Federal Motor Carrier or Hazardous Materials rules may be addressed to the Office of Motor Carrier at:

South Carolina State Transport Police/ Motor Carrier Compliance Unit 10311 Wilson Blvd, Bldg D-2 / PO Box 1993

Blythewood, SC 29016

This SAFETY AUDIT will be used to assess your safety compliance.

Person(s) Interviewed:

Name: Gralin N. Hampton Title: President

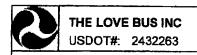
Name: Evelyn M. King Title: Manager

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### Part B - Questions and Answers

An asterisk (\*) beside an answer indicates an area of non-compliance by the motor carrier, and negatively affects the results of the audit.

Question General # 1 Section # 387.7(a) Acute	Answer N/A				
Does the carrier have the required minimum level of financial responsibility in effect (property carrier)?					
Question General # 2 Section # 387.7(d) Critical	Answer				
Does the carrier have required proof of financial responsibility (property carrier)?	N/A				
Question General # 3 Section # 387.31(a) Acute	Answer				
Does the carrier have the required minimum level of financial responsibility in effect (passenger carrier)?	Yes				
Question General # 4 Section # 387.31(d) Critical	Answer				
Does the carrier have required proof of financial responsibility (passenger carrier)?	Yes				
Question General # 5 Section # 13901 (392.9a(a)(1))	Answer				
s the motor carrier authorized to conduct interstate operations in the United States?	Yes				
Question General # 6 Section # 390.15(b)(1)	Answer				
Can the carrier provide a complete accident register of recordable accidents?	N/A				
Question General # 7 Section # 390.15(b)(2) Critical	Answer				
Does the carrier have copies of all accident reports required by States or other government entities or nsurers?	N/A				
Question General # 8 Section # 390.3(e)	Answer				
s the carrier knowledgeable of the FMCSRs/HMRs?	Yes				
Question General # 9 Section # 390.21	Answer				
Does the carrier know the commercial motor vehicles marking requirements?	Yes				
Question Driver # 1 Section # 391.51(a) Critical	Answer				
Does the carrier maintain driver qualification files?	No *				
Additional Documents Required  Driver qualification files; Up to three (3) files which include newly hired drivers if applicable.	•				
Comments					
Driver - William E. Miller - Trip Date - 12/13/2013 - DQ file missing application for employment ( incomplete ) a employer driver safety performance history	and previous				
Question Driver # 2 Section # 391.11(b)(4) Acute	Answer				
s the carrier using physically qualified drivers?	Yes				
Question Driver # 3 Section # 391.45(a), 391.45(b) Critical	Answer				
s the carrier using a driver without a medical certificate or with an expired medical certificate?	No				

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Question Driver # 4 Section # 391.15(a) Acute	Answer
s the carrier using any disqualified drivers?	No
Question Driver # 5 Section # 391.51(b)(2) Critical	Answer
Does the carrier maintain driving inquiry data in driver qualification files?	Yes
Question Driver # 6 Section # 382.115(a), 382.115(b) Acute	Answer
las the carrier implemented an alcohol and/or controlled substances testing program?	Yes
Question Driver # 7 Section # 382.213(b) Acute	Answer
Has the carrier used drivers who have used controlled substances?	No
Question Driver # 8 Section # 382.215 Acute	Answer
Has the carrier used a driver who has tested positive for a controlled substance?	No
Question Driver # 9 Section # 382.201 Acute	Answer
Has the carrier used a driver known to have an alcohol concentration of 0.04 or greater?	No
Question Driver # 10 Section # 382.505(a) Acute	Answer
Has the carrier used a driver found to have an alcohol concentration of .02 or greater but less than .04 within 24 hours of being tested?	No
Question Driver # 11 Section # 382.301(a) Critical	Answer
Has the carrier ensured that drivers have undergone testing for controlled substances prior to performing a safety sensitive function?	Yes
Question Driver # 12 Section # 382.303(a) Critical	Answer
Has the carrier conducted post accident testing on drivers for alcohol?	N/A
Question Driver # 13 Section # 382.303(b) Critical	Answer
Has the carrier conducted post accident testing on drivers for controlled substances?	N/A
Question Driver # 14 Section # 382.305 Acute	Answer
Has the carrier implemented random testing program?	Yes
Question Driver # 15 Section # 382.305(b)(1) Critical	Answer
ras the carrier conducted random alcohol testing at an annual rate of not less than the applicable annual rate or prorated rate of the average number of driver positions?	Yes
Question Driver # 16 Section # 382.305(b)(2) Critical	Answer
Has the carrier conducted controlled substance testing at the applicable prorated rate of not less than the applicable annual rate of the average number of driver positions?	Yes
Question Driver # 17 Section # 40.305(a)	Answer
Has the carrier conducted the required return-to-duty tests on employees returning to safety-sensitive functions?	N/A
Question Driver # 18 Section # 40.309(a)	Answer
Is the carrier conducting follow-up testing as directed by the Substance Abuse Professional?	N/A



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Question Driver # 19 Section # 382.211 Acute	Answer
	N/A
Has the carrier used a driver who has refused to submit to an alcohol or controlled substances test required under Part 382?	17/7
Question Driver # 20 Section # 382.503 Critical	Answer
Has the carrier used a Substance Abuse Professional as required by 49 CFR Part 40 Subpart O?	N/A
Question Driver #21 Section #383.23(a) Critical	Answer
Has a driver operated a commercial motor vehicle without a current operating license, or a license, which hasn't been properly classed and endorsed?	No
Question Driver # 22 Section # 383.37(a) Acute	Answer
Has the motor carrier knowingly allowed it's drivers who's CDLs have been suspended, revoked or canceled by a state, have lost the right to operate a CMV in a State, or have been disqualified from operating a CMV to operate a commercial motor vehicle?	No
Question Driver # 23 Section # 383.51(a) Acute	Answer
Has the motor carrier knowingly allowed, required, permitted, or authorized a driver to drive who is disqualified to drive a commercial motor vehicle?	No
Question Operations # 1 Section # 395.1(e)(1), 395.1(e)(2)	Answer
Does the carrier have a system for recording hours of duty status on 100/150- mile radius drivers, and are they properly utilizing the 100/150 air-mile radius exemption?	N/A
Question Operations # 2 Section # 395.8(a) Critical	Answer
Does the carrier require drivers to make a record of duty status?	Yes
Question Operations # 3 Section # 395.8(i) Critical	Answer
Does the carrier require drivers to submit records of duty status within 13 days?	Yes
Question Operations # 4 Section # 395.8(k)(1) Critical	Answer
Can the carrier produce records of duty status and supporting documents for selected drivers?	Yes
Question Operations # 5 Section # 395.3(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 11-hour rule? (Property)	N/A
Question Operations # 6 Section # 395.3(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 14-hour rule? (Property)	N/A
Question Operations # 7 Section # 395.3(b)(1) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Property)	N/A
Question Operations # 8 Section # 395.3(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Property)	N/A
Question Operations # 9 Section # 395.5(a)(1) Critical	Answer
Has the carrier allowed driver(s) to exceed the 10 hour rule? (Passenger)	No
Question Operations # 10 Section # 395.5(a)(2) Critical	Answer
Has the carrier allowed driver(s) to exceed the 15 hour rule? (Passenger)	No



Question Operations # 11 Section # 395.5(b)(1) Critical	<u>Answer</u>
Has the carrier allowed driver(s) to drive after having been on duty more than 60 hours in 7 consecutive days? (Passenger)	N/A
Question Operations # 12 Section # 395.5(b)(2) Critical	Answer
Has the carrier allowed driver(s) to drive after having been on duty more than 70 hours in 8 consecutive days? (Passenger)	No
Question Operations # 13 Section # 395.8(e) Critical	Answer
Does available evidence indicate a selected driver has prepared a false record of duty status?	No
Question Operations # 14 Section # 392.2 Critical	Answer
Does the motor carrier ensure that drivers operate commercial motor vehicles in accordance with the laws, ordinances, and regulations of the jurisdictions in which they are operating?	Yes
Question Operations # 15 Section # 392.9(a)(1) Critical	Answer
Does the carrier ensure that drivers are not permitted to drive a vehicle without the cargo properly distributed and adequately secured?	N/A
Question Operations # 16 Section # 392.4(b) Acute	Answer
Have any drivers operated a commercial motor vehicle while under the influence of, or in possession of, narcotic drugs, amphetamines, or any other substances capable of rendering the drivers incapable of safety operating motor vehicles?	No
Question Operations # 17 Section # 392.5(b)(1) Acute	Answer
lave any drivers operated a commercial motor vehicle while under the influence of, or in possession of, ntoxicating beverages?	No
Question Operations # 18 Section # 392.5(b)(2) Acute	Answer
lave any drivers operated a commercial motor vehicle within 4 hours of having consumed intoxicating everages?	No
Question Maintenance # 1 Section # 396.3(b) Critical	Answer
can the carrier produce maintenance files for requested vehicle(s)?	Yes
Question Maintenance # 2 Section # 396.17(a) Critical	Answer
can the motor carrier produce evidence of periodic (annual) inspections for selected vehicles?	Yes
tuestion Maintenance # 3 Section # 396.11(a) Critical	Answer
oes the motor carrier require drivers to complete vehicle inspection reports daily?	Yes
uestion Maintenance # 4 Section # 396.11(c) Acute	Answer
loes the carrier ensure that out-of-service defects listed by the driver in the driver vehicle inspection reports re corrected before the vehicle is operated again?	N/A
tuestion Maintenance # 5 Section # 396.9(c)(2) Acute	Answer
oes the carrier ensure vehicles that have been declared "out-of-service" do not operate before repairs have een made?	N/A
luestion Maintenance # 6 Section # 396.19	Answer
the carrier using qualified inspectors (mechanic) and maintaining evidence of the inspector's qualifications?	Yes
Question Maintenance # 7 Section # 396.3	Answer
Can the carrier explain its systematic, periodic maintenance program?	Yes



Question Other # 1 Section # 375.211	Answer
Ooes the carrier participate in an Arbitration Program?	N/A
Question Other # 2 Section # 13702.0	Answer
Ooes the carrier assess shipper freight charges based upon published tariffs?	N/A
Question Other # 3 Section # 375.401(c)	Answer
Does the carrier provide reasonably accurate estimates of moving charges?	N/A
Question Other # 4 Section # 375.407(a), 375.703(b)	Answer
las the carrier avoided "hostage freight" or other predatory practices?	N/A
Question Other # 5 Section # 387.301(a), 387.301(b)	Answer
Does the HHG carrier have sufficient levels of public liability and cargo insurance?	N/A
Question Other # 6 Section # 375.215	Answer
Does the carrier have a published tariff and is the motor carrier changing the applicable rate (375.215).	N/A
Question Other # 7 Section # 375.213	Answer
Can the motor carrier identify the five documents required to be given to a prospective individual shipper prior o executing an order for service?	N/A
Question Other # 8 Section # 49 CFR 37 subpart H	Answer
Ooes the carrier have the means to provide accessible over-the-road bus (OTRB) service on a 48-hour advance notice basis by its owned or leased OTRBs?	N/A
Question Other # 9 Section # 49 CFR 37 subpart H	Answer
f the carrier does not have the means then does the carrier have an arrangement with another carrier that operates accessible OTRBs?	N/A

Note: No Hazardous Materials questions were asked because the carrier does not carry Hazardous Materials in Interstate Commerce.

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#### Part B

Your Proposed Safety Audit Result is: PASS

# **Explanation of Scoring Methodology**

Factor	Failed Questions		Performance	Total	Factor
	Critical	Acute	Test Status	Points	Status
1. General	0	0	_	0	PASS
2. Driver	1	0	_	1	PASS
3. Operations	0	0	_	0	PASS
4. Maintenance	0	0	PASS - 0.00 %	0	PASS
5. Hazardous Materials	_		_		-
6. Accidents	_	_	PASS - 0.00		PASS
SUM	1	0		1	PASS

Result: Carrier has adequate basic safety management controls in place.

NOTE: Carrier has the right to request a review of this determination if there are factual or procedural disputes,

#### HOW THE SA IS SCORED

FACTORS - The Federal Motor Carrier Safety and Federal Hazardous Material Regulations are categorized into six factors. Multiple questions address the various factors. The Part B Question & Answer Report lists the CFR section numbers related to each question.

CRITICAL/ACUTE - Questions are also defined as CRITICAL, ACUTE or neither depending on the significance of the underlying regulation. Questions are assigned a point value if they are incorrectly answered. Critical = 1 and Acute = 1.5. The point values are summed for each factor. Any factor with a point value of 3 or more is marked "FAILED".

OUT OF SERVICE (OOS) RATE - The Driver/Vehicle OOS rate is used in factor #4 as another question. If there have been more than three level 1, 2, or 5 North American Standard Inspections conducted over the past year, they will be summarized. If the summed OOS rate is over 34%, one additional point is assigned to that factor.

CRASH FACTOR - Carriers are defined as urban or non-urban in order to compensate for the higher crash risk of urban operations. Urban carriers are defined as those that operate within a 100 air-mile radius. The crash rate for a carrier is calculated as accidents per million miles traveled. Factor #6 is "FAILED" if the urban carrier crash rate exceeds 1.7 or the non-urban carrier crash rate exceeds 1.5.

OVERALL STATUS DETERMINATION - Any carrier with 3 or more "FAILED" factors is deemed to have failed the Safety Audit by having inadequate safety management controls in place to operate in the U.S.

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# Part B Requirements and/or Recommendations

- 1. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
- 2. Ensure that drivers provide a 10-year employment history on their employment application.
- 3. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
- 4. Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training etc., as required by 49 CFR Parts 40 and 382 of the FMCSR.
- 5. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
- 6. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
- 7. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
- 8. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
- 9. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
- 10. Review with your drivers periodically the procedures for doing pre-trip and post-trip inspections. Ensure that safety defects reported by drivers on their Vehicle Inspection Reports (VIR) are repaired before the vehicle is redispatched. Require drivers to prepare Vehicle Inspection Reports on a daily basis. Keep them on file for 90 days.
- 11. Notice: On April 28, 2003, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. Under the new rule, drivers may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutiveday period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. Short-haul truck drivers, who routinely return to their place of dispatch after each duty tour and then are released from duty, may have an increased on-duty period of 16 hours once during any seven consecutive day period.
  - Passenger-carrying motor carriers and drivers are not subject to the new maximum driving limits. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.
- 12. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.
- 13. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.

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State: SC

State:



South Carolina State Transport Police

P. O. Box 1993

http://www.scdps.gov --- http://fmcsa.dot.g

Blythewood, SC 29016

Phone: (803)896-5500 Fax: (803)896-5526

Report Number: SCGS58007528 Inspection Date: 04/23/2014

Inspection Level: II - Walk-Around

HM Inspection Type: None

THE LOVE BUS INC

1737 NORTH MAIN STREET #2 SUMMERVILLE, SC 29483

**USDOT#:** 02432263

MC/MX#: 842151

State#: Location: US 17 DORCHESTER COUNTY

Highway: County: DORCHESTER, SC

Phone#: (843)871-9781

MilePost:

Origin: SUMMERVILLE SC

Destination: SUMMERVILLE SC

Shipper: Bill of Lading:

Driver: GAILLIARD, MICHAEL

Date of Birth: 09/03/1955

Cargo: X - EMPTY

Placard: No

VEHICLE IDENTIFICATION

Unit Type Make Year State MC MCIN 1995 SC

Plate # BC5485

Fax#:

Equipment ID 001

VIN

GVWR CVSA # CVSA Issued # OOS Sticker

1M8PDMPA8SP046860 44,400

CoDriver:

License#:

Date of Birth:

### BRAKE ADJUSTMENTS: No Brake Measurements Required For Level 2

VIOLATIONS					
Vio Code	<u>Section</u>	Unit OOS	Citation #	Verify Cras	sh Violations Discovered
393.9	393.9(a)	1 N		N N	Inoperable Required Lamp/right side front turn
393.9	393.9(a)	1 N		N N	Inoperable Required Lamp/tag lamp
393.28	393.28	1 N		N N	No wiring protection as required/bare wire in electrical box

HazMat: No HM Transported.

Special Checks: No Data for Special Checks.

#### State Information:

Signature Of Motor Carrier X:

CDL Check: Y; Driver Mailing Address: 518 HESSEMAN AVE; Driver City, State, Zip: HOLLY HILL SC 29059; Driver Race: B; Driver Sex: M;

Failure to return this report with the required certification can result in penalties up to \$1,000 per day for each day the violation continues, up to a total of \$10,000. Facility: Signature Of Repairer X: CARRIER CERTIFICATION: The undersigned certifies that all violations on this report have been corrected and action has been taken to assure compliance with the Federal Motor Carrier Safety and Hazardous Material Regulations insofer as they are applicable to motor carriers and drivers. This certification MUST BE SIGNED by the Motor Carrier and RETURNED WITHIN

15 days to the: South Carolina State Transport Police, P.O. Box 1993, Blythewood, South Carolina 29016.

Cargo Tank:

Report Prepared By: **GD SMITH** 

Badge #:

Copy Received By: